

# MOSES & SINGER LLP

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Motion granted 10/29/10; defendants' Daubert motion  
as to plaintiffs' expert report and testimony shall be filed  
by 11/3/10; response due 11/10/10.

s/ James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE

VIA ECF

Honorable James S. Gwin  
United States District Court  
Carl B. Stokes United States Court House  
801 West Superior Avenue  
Cleveland, Ohio 44113-1838

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October 27, 2010

Re: *Melinda Serin, Judson Russ, Long Soui Lim, Peri Kettler, Gordon Redner, and Thomas J. Smith, v. Northern Leasing Systems, Inc., Jay Cohen, Rich Hahn, and Sara Krieger*  
Docket No. 06 CV 1625 (JSG)

Your Honor:

I am writing with the consent of plaintiffs' counsel, Keith Altman, Esq., to request a brief extension of 2 days, from November 1<sup>st</sup> to November 3<sup>rd</sup>, for defendants to submit their motion to strike or preclude plaintiffs' expert report and testimony. The deposition of plaintiffs' expert, Stan Smith, was initially noticed for October 15<sup>th</sup>. However, as of that date plaintiffs had yet to produce supporting documents for Mr. Smith's report, including, among other things, reports and testimony from 7 selected cases cited in Mr. Smith's CV; Your Honor ordered plaintiffs to produce this information by October 18<sup>th</sup>. In light of the foregoing, we re-noticed Mr. Smith's deposition for October 25<sup>th</sup>, but he was not available on that date. Mr. Smith's next available date is Friday, October 29<sup>th</sup>, which we have now confirmed with plaintiffs' counsel.

Defendants respectfully request a 2-day extension of time to file their motion to strike or preclude plaintiffs' expert report and testimony, and, correspondingly, consent to a 2-day extension of time, from November 8<sup>th</sup> to November 10<sup>th</sup>, for plaintiffs to respond to defendants' motion.

Respectfully submitted,

/s/

Robert D. Lillienstein

cc. Chittur & Associates (via ECF)  
Keith Altman, Esq. (via ECF)